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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON AT TACOMA

9 THE UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 EHW CONSTRUCTORS, A JOINT
13 VENTURE; SKANSKA USA CIVIL, INC.;
14 SKANSKA USA CIVIL SOUTHEAST, INC.,;
15 AMERICAN BRIDGE COMPANY; NOVA
16 GROUP, INC., *in personam*,

17 Defendants.

No. 3:16-cv-05475-RBL

IN ADMIRALTY

SECOND DECLARATION OF R.
RUSSELL JOHNSON

18 I, R. Russell Johnson, declare the following under penalty of perjury of the laws of the
19 State of Washington.

- 20 1. I am over eighteen years of age and competent to make this declaration of my own
21 personal knowledge. I was retained by defendants to act as an expert witness in this
22 matter and have provided a Declaration and an Opinion Report and a Supplemental
23 Opinion Report. Copies of my reports were attached to my first Declaration in this
matter as Exhibit 1 and Exhibit 2.

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2. My opinions and observations below are consistent with those contained in my
- 2 reports, which are incorporated by reference as if fully set forth here.
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3. Whether the buoy struck by the patrol boat was the buoy identified as Buoy #1 or
- 4 was the buoy identified as Buoy #2 does not change any of my opinions and
- 5 conclusions. The two buoys are anchored within just a few hundred feet of each
- 6 other and in substantially similar positions relative to the pier with the bright lights
- 7 described by the patrol boat crew and relative to the dock where the patrol boats tied
- 8 up. Buoy #2 is slightly further offshore from the main dock but this does not
- 9 change any of my opinions, conclusions or observations about the cause of the
- 10 allision, the acts and failure to act by the vessel's master or the statutory violations
- 11 committed by the master.
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14 DATED at 1205 PM this 8th day of December, 2017.

15

16 By: R. Russell Johnson

17 R. Russell Johnson

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